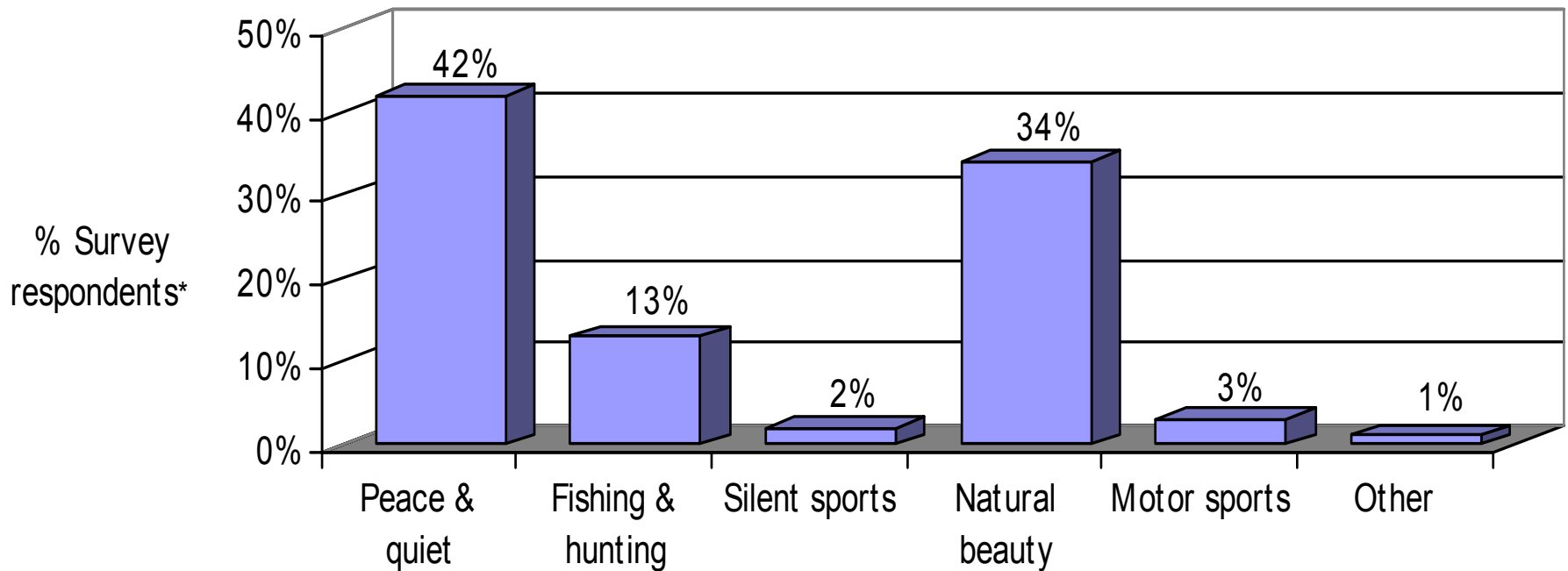




# NR 115 Rule Revision

Intent, Current Rule and Broad  
Concepts for Consideration

# Why People Enjoy Lakes

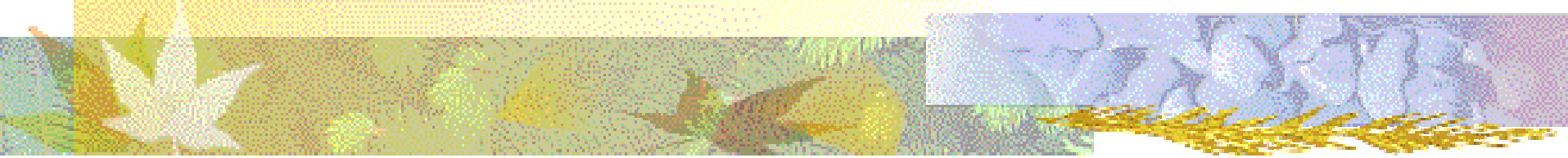


From a survey in Lake Tides newsletter published by University of Wisconsin Extension.

\* Total is less than 100% since not all respondents answered all questions.



*Flexibility and Mitigation*



# A Balancing Act

Determining the appropriate extent & nature of mitigation and flexibility requires a balance between public & private interests.



# Private Interests In Shoreland Areas

- View of the water
- Outdoor recreation (swimming beach, watercraft storage, etc.)
- Pleasing landscape aesthetics
- Removal of noxious, diseased or dead vegetation
- Pedestrian/vehicular access to shoreline
- Protection of property from erosion



# Public Interests

- Water quality protection
- Water temperature attenuation
- Terrestrial and aquatic habitat
- Natural scenic beauty
- Noise, odor and debris attenuation



# What is Mitigation?

- Technique to balance use of shoreland property with public interests
- Minimizes impacts of shoreland development while compensating for lost buffer functions
  - Water Quality
  - Habitat
  - Natural Scenic Beauty



# Mitigation Components

- Mitigation plan may include:
  - Evaluation & upgrade of sanitary system
  - Removal of accessory structures within the structural setback
  - Restoration of shoreland buffer
  - Use of earth-toned building materials
  - Erosion and storm water control practices
  - Engineered solutions

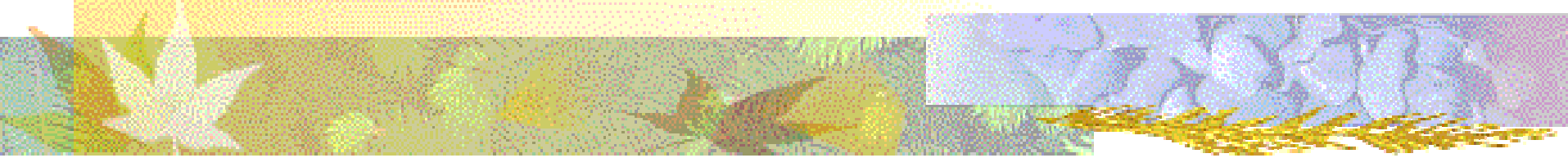




# Management Alternatives

## **Activities which may require mitigation**

- Setback Averaging/ Development of Existing Substandard Lots
- Improvements and/or Construction - new construction and additions to conforming and nonconforming structures
- Exempted Structures



# Implementation and Administration of a Mitigation Program

- What types of mitigation would we utilize for different activities?
- Should all construction be required to restore and/or maintain a buffer?
- Should we utilize a point system?



# Incorporating Flexibility in Shoreland Management

With the mitigation in place, shoreland management rules can be more flexible to accommodate property owners needs while still protecting the resource from increased development and the erosion of buffer functions

# For Property Owners

- **Problem:** Rules are inflexible and do not recognize opportunities to improve environmental protection
- **Solution:** Provide shoreland property owners more options in how they can develop their land in exchange for implementing practices designed to mitigate environmental impacts

# **For Property Owners**

- **Problem: Rule does not recognize different land uses have different impacts on the shoreland environment**
- **Solution: Create subchapters in Rule to specifically address shoreland development, forestry and agriculture, rather than lumping them all together.**

# For Local Governments

- **Problem:** Rule lacks basic definitions and has ambiguous language that have historically been difficult for counties to administer
- **Solution:** Provide definitions and clarify language, improving consistency of rule interpretation and making it easier for counties to administer

# For Local Governments

- **Problem:** Rule only provides standards for regulating nonconforming structures with the 50% rule, but statutorily, counties have the option of using alternative methods
- **Solution:** Provide standards for alternative methods to regulate nonconforming structures that are easier for counties to administer and for the public to understand



# For the Environment

- **Problem:** Current standards in the rule do not meet the statutory charge of Program
- **Solution:** Develop new standards or improve existing ones consistent with research from the last 30 years on shoreland systems